

Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 1651
Application No. 10/531,846
Paper Dated: December 30, 2008
In Reply to USPTO Correspondence of September 30, 2008
Attorney Docket No. 4544-051198

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims

Claims 1-13 (Cancelled).

Claim 14 (Previously Presented): A process for producing herbicides from the fungus *Alternaria alternata* f.sp. *lantanae* deposited as a pure culture as ITCC-4896, comprising culturing the fungus in a liquid broth; subjecting the broth to the step of filtration to separate the broth containing phytotoxins from mycelium; extracting the phytotoxins from said broth to obtain the phytotoxins; and subjecting the phytotoxins to chemical characterization.

Claim 15 (Currently Amended): The process as claimed in claim 14, wherein the fungus is inoculated on a ~~modified chemically defined growth medium~~ modified liquid medium containing a nutrient source and grown for a period of 7 days.

Claim 16 (Previously Presented): The process as claimed in claim 14, wherein the subjecting step is performed aseptically.

Claim 17 (Previously Presented): The process as claimed in claim 16, wherein the inoculum is inoculated into a liquid medium and growth is allowed for a period of 20 to 30 days under static conditions.

Claim 18 (Previously Presented): The process as claimed in claim 16, wherein the inoculum have a disc size of 3 to 12 mm.

Claim 19 (Previously Presented): The process as claimed in claim 16, wherein the inoculum have a disc size of 5 to 8 mm.

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Claim 20 (Previously Presented): The process as claimed in claim 19, wherein the inoculated broth after growth is subjected to filtration under vacuum to separate the mycelium from cell free filtrate.

Claim 21 (Previously Presented): The process as claimed in claim 20, wherein the pH of the cell free filtrate is adjusted to a pH 2 to 3 and concentrated to 40-60% of original volume under vacuum to produce a concentrated brown viscous mass.

Claim 22 (Previously Presented): The process as claimed in claim 21, wherein the brown viscous mass is treated with solvents, thereby producing a solvent layer and an oily layer.

Claim 23 (Previously Presented): The process as claimed in claim 22, wherein the solvent layer containing a first active compound is evaporated under vacuum at a temperature of 30 to 35°C to produce a yellowish oily residue having phytotoxic activity and subjecting said residue to chemical characterization.

Claim 24 (Previously Presented): The process as claimed in claim 22, wherein the oily layer is subjected to subsequent extraction by a solvent, to produce another solvent layer and another oily residue.

Claim 25 (Previously Presented): The process as claimed in claim 24, further comprising the steps of evaporating the solvent layer at a temperature of 30 to 35°C under a vacuum to produce a residue containing two other active compounds with phytotoxic activity, which are subjected to chemical characterization.

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Claim 26 (Currently Amended): The process as claimed in claim 22, wherein the solvent used in solvent extraction is ~~selected from polar solvents~~ a polar solvent.

Claim 27 (Previously Presented): The process as claimed in claim 22, wherein the solvent used in solvent extraction is chloroform.

Claim 28 (Previously Presented): The process as claimed in claim 20, wherein the mycelium is ground and formulated as a water spray for a weedicide.